

BID OPENING

CITY OF SAN JOSE
OFFICE OF THE CITY CLERK

RECEIVED
San Jose City Clerk

2010 MAR 25 P 2:14 City Clerk
Time Stamp

TOTAL BASE BID 794,000

ALT NO. 1 _____

ALT NO. 2 _____

ALT NO. 3 _____

Alt No. 4 _____

Alt No. 5 _____

BID DATE: Thursday, March 25, 2010

Project Manager: Jesse Estolano – 793.4121

University Avenue Sanitary Sewer Replacement

BIDDER NAME: K.J. WOODS CONSTRUCTION

Bond ☒ Cashier's Check _____

Addendums Included () 1,2

YES ☒ NO _____

Non-Collusion Affidavit

YES ☒ NO _____

BIDDERS

March 19, 2010

Subject: Addendum 2 to the Plans and Specifications for University Avenue Sanitary Sewer Replacement

Page 7

REVISED SCHEDULE OF QUANTITIES

PROJECT: UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT

CONTRACTOR: K.I.J. WOODS CONSTRUCTION, INC.

PROJECT I.D. 5509

ITEM NO.	SPEC SECT	ITEM DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE	EXTENSION
1.a	5-2	Street Clean-Up (minimum of \$400 per day) (Revocable)	Day	30	\$400.00	\$12,000.00
1.b	5-2	Street Clean-Up (Additional unit price above minimum price listed in Item No. 1.a above) (Revocable)	Day	30	1.00	30.00
2.	11-1	Mobilization	L.S.	1	38,315.00	38,315.00
3.	12-1	Traffic Control	L.S.	1	15,000.00	15,000.00
4.a	12-2	Police Officers (minimum of \$48.00/hour) (Revocable)	Hr.	100	\$48.00	\$4,800.00
4.b	12-2	Police Officers (Additional unit price above minimum price listed in Item No. 4.a above) (Revocable)	Hr.	100	1.00	100.00
5.	15-1.2	Additional Potholing Existing Utilities (Revocable)	Ea.	9	50.00	450.00
6.	15-2	Utility Conflict (Revocable)	F.A.	1	\$20,000.00	\$20,000.00
7.	25-1	Additional Backfill Material (Revocable)	Ton	95	20.00	1,900.00
8.	39-1	Additional Asphalt Concrete Pavement (Revocable)	Ton	45	125.00	5,625.00
9.	81-2	Install Survey Monument	Ea.	3	100.00	300.00
10.	94-4	Emulsion Slurry Seal	S.F.	292,260	0.14	40,915.00
11.	1301-5	Geotextile (wrapped pipe)	L.F.	2,340	4.00	9,360.00
12.	1301-6	Bedding Stabilization Material (Revocable)	Ton	70	5.00	350.00
13.	1302-2	6-inch Dia. Extra Strength VCP	L.F.	2,160	185.00	399,600.00
14.	1302-3	Trench Sheet piling, Shoring, and Bracing	L.S.	1	20,000.00	20,000.00
15.	1302-5	Sanitary Sewer Lateral Verification (Revocable)	Ea.	21	50.00	1,050.00
16.	1302-6	Reconnect Existing Sanitary Sewer Lateral	Ea.	43	100.00	4,300.00
17.	1302-6	Replace/Extend 4-inch Sanitary Sewer Lateral (Revocable)	L.F.	200	50.00	10,000.00
18.	1302-6	Additional 4-inch Sanitary Sewer Lateral (Revocable)	F.A.	1	\$25,000.00	\$25,000.00
19.	1302-7	Standard Sanitary Sewer Cleanout (Revocable)	Ea.	25	100.00	2,500.00
20.	1305-1	New Standard Sanitary Sewer Manhole (D11)	Ea.	3	5,000.00	15,000.00
21.	1308-1	Cleaning and Inspection of Sanitary Sewer Laterals	Ea.	43	100.00	4,300.00
22.	1501-3.2	Trial Diversion (Revocable)	L.S.	1	500.00	500.00
23.	1501-3.2	Diversion and/or Pumping of Sewage Flows	L.S.	1	500.00	500.00
24.	1501-4	Existing Sewer Lateral Reinstatement	Ea.	148	50.00	7,400.00
25.	1501-6	Point Repair for 6-inch VCP (Revocable)	L.F.	200	10.00	2,000.00
26.	1501-7	Remove Manhole Rungs (Per Each Manhole)	Ea.	21	125.00	2,625.00
27.	1501-8	Cleaning and Inspection of Pipelines	L.F.	5,390	2.00	10,780.00
28.	1502-1.8	Installation of CIPP Liner in 6-inch VCP Sanitary Sewer	L.F.	5,390	20.00	107,800.00
29.	1503-9	Manhole Rehabilitation	Ea.	21	1,500.00	31,500.00
TOTAL						774,000.00

NONCOLLUSION AFFIDAVIT

Project Title: **UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT**

KIERAN WOODS, being first duly sworn, deposes and says that he/she is
(print name)

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof the effectuate a collusive or sham bid.

In accordance with Title 23, United States Code, Section 112, the bidder hereby states, under penalty of perjury, that he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this contract. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution.

The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct.

Executed on MARCH 25, 2010

K.J. WOODS CONSTRUCTION, INC.
Legal Company Name

CORPORATION
Indicate Type of Entity: Sole Proprietorship,
Partnership (General/Limited Partners),
Corporation, Joint Venture, etc.

City Business Lic. No.: _____
Expiration Date: _____
State Contractor Lic. No.: 701797
Classification: A
Expiration Date: 1-31-11
Federal I. D. No.: 94-3213437
Address: 1485 BAYSHORE BLVD., #149
SAN FRANCISCO, CA 94124
Telephone: (415) 759-0506

By: [Signature]
Title: KIERAN WOODS PRESIDENT

NOTARY

On _____ before me, _____, personally appeared
(name and title of officer)

_____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

Notary Public

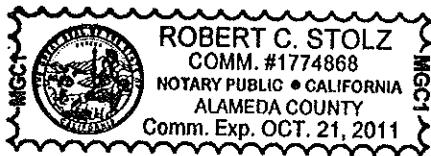
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of ALAMEDA

On 3-25-10 before me, ROBERT C. STOLZ, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared KIERAN WOODS
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That we, K.J. WOODS CONSTRUCTION, INC. as PRINCIPAL, and HARTFORD FIRE INSURANCE COMPANY, a corporation duly organized under the laws of the State of CONNECTICUT and duly licensed to become sole surety on bonds required or authorized by the State of California, as SURETY, are held and firmly bound unto the City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the City of San Jose, for the work described below; for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the Surety hereunder exceed the sum of TEN PERCENT OF THE TOTAL AMOUNT BID DOLLARS (\$ 10%).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for certain construction specifically described as follows, for which bids are to be opened in the Office of the City Clerk, City of San Jose, City Hall, 200 E. Santa Clara St., Wing 2nd Fl., San Jose, CA 95113, on March 25, 2010 for **UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT**.

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to Principal for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance policies with the City, all as required by the specifications and the contract or by law, then the obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 11TH

day of MARCH, 2010.

PRINCIPAL

SURETY

K.J. WOODS CONSTRUCTION, INC.
Legal Company Name

HARTFORD FIRE INSURANCE COMPANY
Legal Company Name

CORPORATION
Indicate Type of Entity

By [Signature]
Title: KIERAN J. WOODS, PRESIDENT

By [Signature]
Title: JENNY HON, ATTORNEY-IN-FACT

By _____
Title:

By _____
Title:

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-4

P.O. BOX 2103, 690 ASYLUM AVENUE
HARTFORD, CONNECTICUT 06115

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 57-151716

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☒ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of unlimited:

Robert W. Babcock, Jenny Hon, Aubri Lee
of
Milpitas, CA

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on January 22, 2004 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Scott Sadowsky

Scott Sadowsky, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Assistant Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

Hartford

On this 3rd day of March, 2008, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Scott E. Paseka

Scott E. Paseka
Notary Public

My Commission Expires October 31, 2012

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of March 11, 2010.

Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Assistant Vice President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SANTA CLARA

On 3/11/10
Date

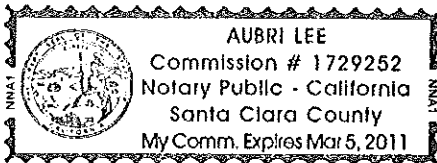
before me,

AUBRI LEE, NOTARY PUBLIC

Here Insert Name and Title of the Officer

personally appeared

JENNY HON
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature

[Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Individual

☒ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

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RIGHT THUMBPRINT
OF SIGNER

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March 10, 2010

**ADDENDUM NO. 1
TO
THE PLANS AND SPECIFICATIONS
FOR
UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into the Specifications for UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT.

IMPORTANT

THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

K.J. WOODS CONSTRUCTION, INC.
Bidder's Name

Approved By:

[Signature]
Signature and Title of Bidder

KIERAN WOODS PRESIDENT

[Signature]
TIMM BORDEN

Deputy Director of Public Works Department

Date

3-25-10

THIS ADDENDUM CONTAINS 2 PAGES



Department of Public Works

TRANSPORTATION AND HYDRAULICS SERVICES DIVISION

March 19, 2010

**ADDENDUM NO. 2
TO
THE PLANS AND SPECIFICATIONS
FOR
UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT**

Notice is hereby given that the following clarifications, revisions, additions and/or deletions are hereby made of, and incorporated into the Specifications for UNIVERSITY AVENUE SANITARY SEWER REPLACEMENT.

IMPORTANT

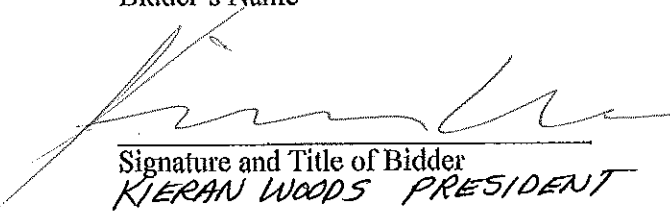
THIS ADDENDUM SHOULD BE ACKNOWLEDGED WHEN YOUR BID IS SUBMITTED. FAILURE TO ACKNOWLEDGE THE ADDENDUM MAY CONSTITUTE GROUNDS FOR REJECTION OF THE BID.

INSTRUCTIONS:

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. Failure to return the signed copy with the bid document shall not relieve the bidder of the obligation to include this addendum in the bid proposal.

K.J. WOODS CONSTRUCTION, INC.
Bidder's Name

Approved By:


Signature and Title of Bidder
KIERAN WOODS PRESIDENT


TIMM BORDEN
Deputy Director of Public Works Department

3-25-10
Date

THIS ADDENDUM CONTAINS 7 PAGES